

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT HUNTINGTON**

**JOANN HURLEY, on behalf of
herself, and all others similarly situated,**

Plaintiffs,

vs.

**Civil Action No.: 3:16-cv-9949
Honorable Robert C. Chambers**

THOMAS MESSER, *et al.*,

Defendants.

MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT AGREEMENT

Plaintiff Joann Hurley, on behalf of the Class of individuals she seeks appointment to represent, respectfully moves for preliminary approval of the Class Action Settlement Agreement attached hereto. For the reasons set forth in the memorandum in support filed concurrently herewith, Plaintiff submits that the terms of the proposed settlement are fair, adequate, reasonable, and merit the Court's approval. Plaintiff therefore respectfully requests that the Court enter an Order (1) preliminarily approving the terms of the parties' Settlement Agreement and, (2) establishing a schedule for effectuating the Settlement.

Defendants have agreed to the proposed order of preliminary approval attached as Exhibit B to the attached Class Action Settlement Agreement.

Respectfully submitted,

/s/ Anthony J. Majestro

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Counsel for Plaintiff Joann Hurley

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of August, 2020, I electronically filed the foregoing document, entitled **MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT**, with the Clerk of the Court using the CM/ECF system to the following:

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Counsel for Defendant RingCentral, Inc.

I further certify that on the 19th day of **August, 2020**, a true and exact copy of the foregoing document, entitled **MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT AGREEMENT**, has this day been placed in the regular course of the United States Mail, in an envelope with first class postage thereon fully prepaid addressed as follows:

Mr. Thomas Messer
2881 R. 152
Fort Gay, West Virginia 25514

Pro Se Defendant

/s/ Anthony J. Majestro